UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,762	06/01/2001	Sean M. McCullough	VIGN 1230-1	7625

25094	7590	08/24/2004

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EXAMINER
STORK, KYLE R

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

- A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _1 June 2001_.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-22_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _8/14/03 and 02/20/_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the application filed June 1, 2001 and

Information Disclosure Statements filed August 14, 2003, and February 20, 2004.

2.   Claims 1-22 are pending. Claims 1 and 12 are independent claims.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for patent or
(2) a patent granted on an application for patent by another filed in the United States before
the invention by the applicant for patent, except that an international application filed under
the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 4-5, 8, 11-12, 15-16, 19 and 22 are rejected under 35

U.S.C. 102(e) as being anticipated by Alexander (U.S. 6,732,331).

As per independent claim 1, Alexander discloses the method of modifying

a target document comprising:

- Accessing a target document, a metadata element, and a rendering

  instruction, wherein the target document comprises a target element

  (column 2, lines 59-62; column 2, line 63- column 3, line 6)

- Locating the target element to which the metadata element applies

  (column 2, line 63- column 3, line 1: specifically the second sentence in

  the section stating that each element "includes a set of information

  attributes describing the data entry element")

- Transforming the metadata element into a rendered element by using the

  rendering instruction (column 3, lines 2-6)

As per dependent claim 4, Alexander discloses the method wherein locating further comprises matching a term within the metadata element with a corresponding term within the rendering instruction (column 6, lines 6-12).

As per dependent claim 5, Alexander discloses the method wherein the rendered element is displayed instead of the target element (Figures 7 and 8).

As per dependent claim 8, Alexander discloses the method further comprising inserting the rendered element into the target document (Figures 7 and 8: Notice that the metadata entered into figure 7 is rendered into the target document in figure 8).

As per dependent claim 11, Alexander discloses the method wherein the metadata element includes an identifier for the target document (column 11, lines 7-17: specifically the "name" tag on lines 9, 10, and 14).

As per independent claim 12, Alexander discloses the system readable medium having code embodied therein, the code including instructions executable by a data processing system, wherein the instructions are configured to causes the data processing system to perform a method of communicating with a user, the method comprising:

- Accessing a target document, a metadata element, and a rendering instruction, wherein the target document comprises a target element (column 2, lines 59-62; column 2, line 63- column 3, line 6)

- Locating the target element to which the metadata element applies (column 2, line 63- column 3, line 1: specifically the second sentence in

the section stating that each element "includes a set of information

attributes describing the data entry element")

- Transforming the metadata element into a rendered element by using the

    rendering instruction (column 3, lines 2-6)

As per dependent claim 15, Alexander discloses the data processing

system medium wherein locating further comprises matching a term within the

metadata element with a corresponding term within the rendering instruction

(column 6, lines 6-12).

As per dependent claim 16, Alexander discloses the data processing

system medium wherein the rendered element is displayed instead of the target

element (Figures 7 and 8).

As per dependent claim 19, Alexander discloses the data processing

system medium further comprising inserting the rendered element into the target

document (Figures 7 and 8: Notice that the metadata entered into figure 7 is

rendered into the target document in figure 8).

As per dependent claim 22, Alexander discloses the data processing

system medium wherein the metadata element includes an identifier for the

target document (column 11, lines 7-17: specifically the "name" tag on lines 9,

10, and 14).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2-3 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander further in view of Qureshi et al. (U.S. 6,456,305).

As per dependent claim 2, Alexander discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Alexander fails to disclose the method further comprising calculating screen coordinates relative to the target document where the rendered element is to be displayed. However, Qureshi discloses calculating screen coordinates relative to the target document where the rendered element is to be displayed (column 9, lines 13-16; column 9, lines 49-55).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of modifying target documents with Qureshi's method of calculating coordinates for displaying elements, since it would have allowed a user to create a target document and have the coordinates determined automatically.

As per dependent claim 3, Alexander and Qureshi disclose the limitations similar to those in claim 2, and the same rejection is incorporated herein. Qureshi also discloses inserting the element into the target document at the screen location (column 10, lines 11-17; column 10, lines 22-25).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander and Qureshi's method of

modifying target documents and calculating coordinates for display with

Qureshi's method of displaying elements, since it would allow a user to observe

the rendered elements.

As per dependent claim 13, Alexander discloses the limitations similar to

those in claim 12, and the same rejection is incorporated herein. Alexander fails

to disclose the data processing system medium further comprising calculating

screen coordinates relative to the target document where the rendered element

is to be displayed. However, Qureshi discloses calculating screen coordinates

relative to the target document where the rendered element is to be displayed

(column 9, lines 13-16; column 9, lines 49-55).

It would have been obvious to one of ordinary skill in the art at the time of

the applicant's invention to have combined Alexander's data processing system

medium of modifying target documents with Qureshi's method of calculating

coordinates for displaying elements, since it would have allowed a user to create

a target document and have the coordinates determined automatically.

As per dependent claim 14, Alexander and Qureshi disclose the limitations

similar to those in claim 13, and the same rejection is incorporated herein.

Qureshi also discloses inserting the element into the target document at the

screen location (column 10, lines 11-17; column 10, lines 22-25).

It would have been obvious to one of ordinary skill in the art at the time of

the applicant's invention to have combined Alexander and Qureshi's method of

modifying target documents and calculating coordinates for display with

Qureshi's method of displaying elements, since it would allow a user to observe the rendered elements.

6.   Claims 6, 9, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander further in view of Merritt et al. (U.S. 6,041,335).

As per dependent claim 6, Alexander discloses the limitations similar to those in claim 5, and the same rejection is incorporated herein. Alexander fails to disclose the method wherein the rendered element includes a row or column of icons. However, Merritt discloses a row or column of icons (Figures 3-5: specifically the icon bar at the top that contains items 48 and 62 in Figure 3, item 46 in Figure 4, and item 48 in Figure 5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of displaying rendered elements instead of target elements with Merritt's method of displaying rendered elements in a row or column, since it would have allowed a user to have all rendered elements in a single area so that data associated with them could be quickly and easily accessed without having to navigate throughout the target document.

As per dependent claim 9, Alexander discloses the limitations similar to those in claim 8, and the same rejection is incorporated herein. Alexander fails to discloses:

- The rendered element overlays the target element

- The target element can be seen at least partially through the rendered element

However, Merritt discloses the method wherein:

- The rendered element overlays the target element (Figure 3, items 40 and 42; Figure 4, item 42; Figure 5, item 52)

- The target element can be seen at least partially through the rendered element (column 2, lines 46-48)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of modifying a target document with Merritt's method of displaying transparent overlays of rendered objects, since it would have allowed for transparent elements to not block other images on a computer monitor (Bartlett, U.S. 5,283,560: column 1, lines 53-54).

As per dependent claim 17, Alexander discloses the limitations similar to those in claim 16, and the same rejection is incorporated herein. Alexander fails to disclose the data processing system medium wherein the rendered element includes a row or column of icons. However, Merritt discloses a row or column of icons (Figures 3-5: specifically the icon bar at the top that contains items 48 and 62 in Figure 3, item 46 in Figure 4, and item 48 in Figure 5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's data processing system medium displaying rendered elements instead of target elements with Merritt's method of displaying rendered elements in a row or column, since it would have allowed a user to have all rendered elements in a single area so that data associated with them could be quickly and easily accessed without having to navigate throughout the target document.

As per dependent claim 20, Alexander discloses the limitations similar to those in claim 19, and the same rejection is incorporated herein. Alexander fails to discloses:

- The rendered element overlays the target element

- The target element can be seen at least partially through the rendered element

However, Merritt discloses the data processing system wherein:

- The rendered element overlays the target element (Figure 3, items 40 and 42; Figure 4, item 42; Figure 5, item 52)

- The target element can be seen at least partially through the rendered element (column 2, lines 46-48)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of modifying a target document with Merritt's method of displaying transparent overlays of rendered objects, since it would have allowed for transparent elements to not block other images on a computer monitor (Bartlett, U.S. 5,283,560: column 1, lines 53-54).

7.   Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander further in view of Wayner (U.S. 5,557,717).

As per dependent claim 7, Alexander discloses the limitations similar to those in claim 5, and the same rejection is incorporated herein. Alexander fails to discloses:

- The target element including numerical information

- The rendered element includes a depiction of the numerical information

- The depiction includes a representation of the numerical information in at least two dimensions

However, Wayner discloses the method wherein:

- The target element including numerical information (column 7, lines 32-36)

- The rendered element includes a depiction of the numerical information (column 7, lines 32-36; column 9, lines 8-18: here, the score is numerical information)

- The depiction includes a representation of the numerical information in at least two dimensions (column 10, line 61- column 11, line 20)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of rendering metadata about a target element with Wayner's method of rendering a graph from metadata, since it would have allowed a user to easily archive information that would be available for reproduction (Wayner: column 11, lines 33-35; column 11, lines 40-41).

As per dependent claim 18, Alexander discloses the limitations similar to those in claim 16, and the same rejection is incorporated herein. Alexander fails to discloses:

- The target element including numerical information

- The rendered element includes a depiction of the numerical information

- The depiction includes a representation of the numerical information in at least two dimensions

However, Wayner discloses the data processing system medium wherein:

- The target element including numerical information (column 7, lines 32-36)

- The rendered element includes a depiction of the numerical information (column 7, lines 32-36; column 9, lines 8-18: here, the score is numerical information)

- The depiction includes a representation of the numerical information in at least two dimensions (column 10, line 61- column 11, line 20)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of rendering metadata about a target element with Wayner's method of rendering a graph from metadata, since it would have allowed a user to easily archive information that would be available for reproduction (Wayner: column 11, lines 33-35; column 11, lines 40-41).

8.   Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander further in view of Clark (XSL Transformations (XSLT) Version 1.0).

As per dependent claim 10, Alexander discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. However, Alexander fails to disclose the method wherein a tag within the metadata element includes a locating information to locate the target element within the target document. However, Clark discloses the method wherein a tag within the metadata element includes a locating information to locate the target element within the target document (page 28, first paragraph: here, being able to give an

element a name attribute and an optional namespace attribute allow for the named element to be located within the namespace).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's method of modifying target documents with Clark's method of locating a target element within a target document, since it would have allowed a user to render specific elements or even to render elements within specific namespaces.

As per dependent claim 21, Alexander discloses the limitations similar to those in claim 12, and the same rejection is incorporated herein. However, Alexander fails to disclose the data processing system medium wherein a tag within the metadata element includes a locating information to locate the target element within the target document. However, Clark discloses the method wherein a tag within the metadata element includes a locating information to locate the target element within the target document (page 28, first paragraph: here, being able to give an element a name attribute and an optional namespace attribute allow for the named element to be located within the namespace).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Alexander's data processing system medium of modifying target documents with Clark's method of locating a target element within a target document, since it would have allowed a user to render specific elements or even to render elements within specific namespaces.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Meyerzon et al. (US 6199081): Discloses rendered metadata elements.

- Nakagawa et al. (US 6414691): Discloses rendered elements.

- Walls (US 6618052): Discloses a method for displaying a graphical representation of data.

- Gilmour (US 6205472): Discloses metadata elements.

- Copeland et al. (US 6557076): Discloses rendering of data elements.

- Call (US 6154738): Discloses rendered metadata elements.

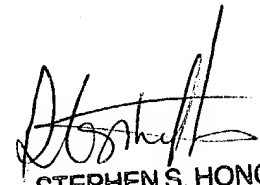- Claussen et al. (US 6718516): Discloses content verification in a DOM).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R Stork whose telephone number is (703) 605-1203. The examiner can normally be reached on Monday-Friday (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (703) 308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Kyle Stork
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STEPHEN S. HONG
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